

REMARKS

Please cancel claims 1-8, 11, 13, 26, and 28. Please add new claim 29, which finds support at page 3, lines 15-27 of the originally filed application.

Claims 1-5, 9-19, and 24-28 stand rejected under 35 U.S.C. 102(b) as being anticipated by Fortman et al. (US Patent Number 5,987,100). Applicants respectfully disagree. Applicants have cancelled claims 1-5, 11, 13, 26 and 28.

Applicants invention as embodied in amended **claim 9** relates to a method for automatically directing a calling communication unit to a multimedia mailbox of a wireless phone. The wireless phone registers for direct multimedia mail service, which allows calls to go directly to the multimedia mailbox associated with the wireless phone. A call request is received that is intended for the wireless phone. The calling communication unit is directed to the multimedia mailbox of the wireless phone without attempting to communication with the wireless phone.

The Fortman reference relates to a universal mailbox in which a subscriber can retrieve an existing message in a format independent of the format used when earlier storing the message. See column 2, lines 39-42. The subscriber can respond to the message in a format independent of the format used to store or retrieve the message. See column 2, lines 42-44. The Fortman reference thereby relates to a universal messaging center that notifies subscribers of a message waiting for them, and allows the subscriber to retrieve and respond to the stored message in formats independent of the format in which the message was originally stored. See column 1, lines 4-11.

The Fortman reference does not teach or suggest automatically directing a calling communication unit to a multimedia mailbox of a wireless phone, as stated in claim 9. Conversely, the Fortman message relates to a method for a subscriber to retrieve messages that have already been left. It does not teach or suggest the step of automatically directing a caller to a multimedia mailbox associated with the wireless phone.

In addition, the Fortman reference does not teach or suggest registering the wireless phone for direct multimedia mail service, as called for in claim 9. The Office Action points to

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column 3, lines 38-42 of the Fortman reference. The Fortman reference mentions that the subscriber subscribes to the services provided by the universal mailbox. There is no teaching or suggestion of a service that allows calling communication units to go directly to the multimedia mailbox associated with the wireless user. In fact, the Fortman reference relates to retrieving mail messages, not to the directing of a caller to a mailbox to leave a message.

The Office Action does not give a reference within the Fortman reference to the step of receiving a call request for the wireless phone. Applicants were also unable to find this step in the Fortman reference.

Claim 9 also calls for directing the calling communication unit to the multimedia mailbox of the wireless phone without attempting to communicate with the wireless phone. The Office Action references column 7, lines 5-13 of the Fortman reference. This section refers to what happens after a message is left in the mailbox, but does not teach or suggest or even relate to how a caller is directed to the mailbox. As such, it cannot fairly be suggested that it anticipates this element of claim 9.

The Fortman reference thereby does not anticipate claim 9, as it does not teach or suggest numerous elements of claim 9.

Claim 10 depends from claim 9 and is not anticipated for the reasons set forth with regard to claim 9.

Claim 12 depends ultimately from claim 9 and is not anticipated for the reasons set forth with regard to claim 9. Further, claim 12 calls for the step of sending the call request to the wireless phone if the wireless phone has disabled the direct multimedia mail service. The Office Action states that it is inherent that the Fortman reference would send the call request to the wireless phone if the wireless phone has not subscribed to direct multimedia mail service, and references column 8 of the reference. This section of the Fortman reference relates to checking if the caller, not the subscriber, has subscribed to the direct multimedia mail service. See column 8, line 48. Further, this section of the Fortman reference relates to FIG. 9, which relates to a process for responding to a retrieved message. This is fundamentally different from claim 12, which relates to sending the call request to the wireless phone if the wireless phone has disabled the direct multimedia mail service.

Claim 14 relates to a communication system for providing automatic direction of calling communication units to a multimedia mailbox. Claim 14 is not anticipated for the reasons set forth with regard to claim 9 above.

Claim 15 depends from claim 14 and is not anticipated for the reasons set forth with regard to claim 14.

Claim 16-19 depend, either directly or indirectly, from claim 14, and are not anticipated for the reasons set forth with regard to claim 14.

Claim 24 relates to a call processing control entity for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone without attempting to communicate with the wireless phone. As stated above, the Fortman reference does not teach or suggest registering a wireless phone for direct multimedia mail service that allows calls to go directly to the multimedia mailbox associated with the wireless phone, an input port for receiving a direct multimedia mail request to be directed to the multimedia mailbox of the wireless phone without attempting to communicate with the wireless phone, and an output port for directing the multimedia mailbox without attempting to communicate with the wireless phone.

Claim 25 depends from claim 24 and is not anticipated for the reasons set forth with regard to claim 24.

Claim 27 depends ultimately from claim 24 and is not anticipated for the reasons set forth with regard to claim 24, and also for the reasons set forth with regard to claim 12 above.

Claims 6-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Fortman et al. as applied to claim 1 above, and further in view of Camp Jr. et al (US Patent Number 6,070,078). Claims 6-8 have been cancelled.

Claims 20-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Fortman et al. as applied to claim 14 above, and further in view of Bharatia (US Patent Application Number US 2001/0031635). Applicants respectfully disagree.


Claims 20-23 depend, either directly or indirectly, from claim 14, and are not obviated for the reasons set forth with regard to claim 14 above.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-5, 9-19, and 24-28 under 35 U.S.C. 102(b) and reconsider and withdraw the rejection of claims 20-23 under 35 U.S.C. 103(a). Applicants believe that the application is in condition for allowance. Favorable reconsideration of this application in light of the above is respectfully requested. If a telephone interview with Applicant's Attorney would further the prosecution of the present application, the Examiner is invited to contact the undersigned at the indicated telephone number.

Respectfully,

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